

APPLICATION NO. 09/943,131  
DOCKET NO. P1048/N8802

### REMARKS

Applicant's had filed a response to the October 21, 2003 Office Action on December 17, 2003. However, in filing the December response, the undersigned was not aware that an amendment of claims had been filed (by a different attorney) in response to the Office Action mailed October 23, 2002. Thus, the claims used in the listing of claims in the December response was not an accurate listing of claims. The undersigned apologizes for any confusion or inconvenience this may have caused.

The listing of claims set out hereinabove is an accurate listing of claims, using as a starting point the claims as amended in the earlier response. The claims are amended herein in order to delete the earlier-made amendments, and place the claims in the same condition it was intended to place them in the December response, which, as noted below, are patentably distinguished from the cited art. In addition, new claims 23-28 have been added herein, with claim 23 replacing canceled claim 16, and claims 24-28 being added claims having a scope broader than those currently present but yet still patentable over the art of record. Accordingly, entry of the amendment and addition of claims set out hereinabove is respectfully requested.

With this amendment of claims, claims 1-15 and 17-28 are currently pending in the above-captioned application, all of which stand rejected under 35 U.S.C. §103(a) over Shane et al. (U.S. 3,404,061). Claims 1, 4, 6, 9, 10, 11, 17 are amended herein, and claims 23-28 added, in order to more clearly define and fully protect Applicant's invention.

APPLICATION NO. 09/943,131  
DOCKET NO. P1048/N8802

As noted in the December response, Applicant gratefully acknowledges the interview on 11 December 2003, between Examiner Bahta, inventor Julian Norley, Director of Research and Development for Electronic Thermal Management for the assignee, and the undersigned. During the interview, the Shane et al. reference was discussed, and it was pointed out that although Shane et al. discloses resin impregnation of flexible graphite as well as compression of exfoliated graphite particles and flexible graphite sheet, there is no reference or suggestion in Shane et al. of pressure curing resin-impregnated flexible graphite sheets.

More particularly, the present invention relates to the surprising finding that curing resin impregnated flexible graphite sheets at pressures above 1,000 psi leads to the creation of flexible graphite sheets having extraordinarily high in-plane thermal conductivities, which can rival or even exceed those of copper, but at substantially reduced weight. The amendments made to the claims herein more clearly set out the pressure cure which distinguishes the invention from the Shane et al. disclosure.

Thus, withdrawal of the rejections and allowance of all claims 1-15 and 17-28 is believed appropriate and is respectfully requested.

### CONCLUSION

Based on the foregoing amendments and remarks, it is believed that all claims 1-15 and 17-28 are now in condition for allowance. Such action is earnestly sought. If there remains any matter which prevents the allowance of any of these claims, the

APPLICATION NO. 09/943,131  
DOCKET NO. P1048/N8802

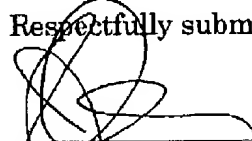
Examiner is requested to call the undersigned, collect, at 615-242-2400 to arrange for another interview which may further expedite prosecution.

Pursuant to 37 C.F.R. §1.136(a), Applicants' petition the Commissioner to extend the time for responding to the October 21, 2003 Office Action for 2 months from January 21, 2003 to March 21, 2004. Applicants authorize the Commissioner to charge the \$420 fee amount to deposit account 50-1202.

Pursuant to 37 C.F.R. §1.16, Applicant authorizes the Commissioner to charge the \$194 excess claims fee amount occasioned by the addition of new claims herein to deposit account 50-1202.

The Commissioner is authorized to charge any deficiency or credit any overpayment associated with the filing of this Response to Deposit Account 50-1202.

Respectfully submitted,

  
James R. Cartiglia  
Registration No. 30,738  
WADDEY & PATTERSON  
A Professional Corporation  
Customer No. 23456

ATTORNEY FOR APPLICANTS

Waddey & Patterson  
414 Union Street, Suite 2020  
Bank of America Plaza  
Nashville, TN 37219  
(615) 242-2400

APPLICATION NO. 09/943,131

DOCKET NO. P1048/N8802

**CERTIFICATE OF FACSIMILE TRANSMITTAL**

I hereby certify that this Response To Official Action (9 pages), including Certificate of Facsimile Transmittal (1 page) and Facsimile Cover Letter (1 page) are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306.

James B. Cartiglia



Signature

Registration Number 30,738



Date